

Serial No.: 09/545,769

Attorney Docket No.: 00P7572US

**IN THE CLAIMS:**

This listing of the claims will replace all prior versions and listings of the claims in the application:

1-3 (Canceled)

4. (Currently Amended) A telecommunications system in accordance with claim 2, comprising:  
an Ethernet-type local area network; and  
one or more telecommunications devices coupled to said Ethernet-type local area network, said one or more telecommunications devices including:  
an Internet Protocol voice communication stack;  
a Quality of Service Ethernet layer; and  
a Generate Quality of Service Ethernet layer interposed between said Internet Protocol voice communication stack and said Quality of Service Ethernet layer and adapted to intercept a second byte in an IP header of an IP layer, identify from said second byte a quality of service required for individual calls, and generate corresponding Quality of Service commands to said Quality of Service Ethernet layer to define an Ethernet Quality of Service at an Ethernet layer;  
said second byte comprising a Type of Service byte;  
wherein said Quality of Service Ethernet layer and said Generate Quality of Service Ethernet layer are modular.

5. (Currently Amended) A telecommunications system in accordance with claim 3, comprising:  
an Ethernet-type local area network; and  
one or more telecommunications devices coupled to said Ethernet-type local area network, said one or more telecommunications devices including:  
an Internet Protocol voice communication stack;  
a Quality of Service Ethernet layer; and

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a Generate Quality of Service Ethernet layer interposed between said Internet Protocol voice communication stack and said Quality of Service Ethernet layer and adapted to intercept a second byte in an IP header of an IP layer, identify from said second byte a quality of service required for individual calls, and generate corresponding Quality of Service commands to said Quality of Service Ethernet layer to define an Ethernet Quality of Service at an Ethernet layer;

said second byte comprising a Differentiated Service byte;

wherein said Quality of Service Ethernet layer and said Generate Quality of Service Ethernet layer are modular.

6 – 8 (Canceled)

9. (Currently Amended) A telecommunications device ~~in accordance with claim 7;~~ adapted to be coupled to an Ethernet-type local area network, comprising:  
an Internet Protocol voice communication stack;  
a Quality of Service Ethernet layer; and  
a Generate Quality of Service Ethernet layer interposed between said Internet Protocol voice communication stack and said Quality of Service Ethernet layer and adapted to intercept a second byte in an IP header of an IP layer, identify from said second byte a quality of service required for individual calls, and generate corresponding Quality of Service commands to said Quality of Service Ethernet layer to define an Ethernet Quality of Service at an Ethernet layer;

said second byte comprising a Type of Service byte;

wherein said Quality of Service Ethernet layer and said Generate Quality of Service Ethernet layer are modular.

10. (Currently Amended) A telecommunications device ~~in accordance with claim 8;~~ adapted to be coupled to an Ethernet-type local area network, comprising:  
an Internet Protocol voice communication stack;  
a Quality of Service Ethernet layer; and

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a Generate Quality of Service Ethernet layer interposed between said Internet Protocol voice communication stack and said Quality of Service Ethernet layer and adapted to intercept a second byte in an IP header of an IP layer, identify from said second byte a quality of service required for individual calls, and generate corresponding Quality of Service commands to said Quality of Service Ethernet layer to define an Ethernet Quality of Service at an Ethernet layer;

said second byte comprising a Differentiated Service byte;

wherein said Quality of Service Ethernet layer and said Generate Quality of Service Ethernet layer are modular.

11. (Currently Amended) A method comprising:

intercepting a second byte from an Internet Protocol header from an IP layer;

Identifying from said second byte a quality of service required for individual calls;

and

generating corresponding Quality of Service commands to a Quality of Service Ethernet layer to define an Ethernet Quality of Service at an Ethernet layer;

wherein said Quality of Service Ethernet layer is modular and wherein said Quality of Service commands are generated at a modular Generate Quality of Service Ethernet layer.

12. (Currently Amended) A method, comprising:

beginning an IP multimedia call;

encapsulating corresponding messages for said IP multimedia call in IP protocol data packets;

setting a second byte of an IP header at an IP layer for said IP protocol data packets;

reading said second byte before said IP protocol data packets are sent over a network;

accessing a lookup table, said lookup table containing entries for mapping said second byte to QoS Ethernet quality of service commands;

sending said QoS Ethernet quality of service commands to a QoS Ethernet layer;

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and

sending said IP protocol data packets over an Ethernet network using a quality of service as specified in said QoS Ethernet quality of service commands at an Ethernet layer;

wherein said QoS Ethernet layer is modular and wherein said Quality of Service commands are mapped using a modular Generate Quality of Service Ethernet layer.

13. (Currently Amended) ~~[[A]] The~~ method according to claim 12, wherein said second byte comprises a type of service byte.

14. (Currently Amended) ~~[[A]] The~~ method according to claim 12, said second byte comprising a differentiated service byte.

15. (Currently Amended) A system, comprising:  
means for beginning an IP multimedia call;  
means for encapsulating corresponding messages for said IP multimedia call in IP protocol data packets;  
means for setting a second byte of an IP header at an IP layer for said IP protocol data packets;  
means for reading said second byte before said IP protocol data packets are sent over a network;  
means for accessing a lookup table, said lookup table containing entries for mapping said second byte to QoS Ethernet quality of service commands;  
means for sending said QoS Ethernet quality of service commands to a QoS Ethernet layer; and  
means for sending said IP protocol data packets over an Ethernet network using a quality of service as specified in said QoS Ethernet quality of service commands at an Ethernet layer;

wherein said QoS Ethernet layer is modular and wherein said Quality of Service commands are mapped using a modular Generate Quality of Service Ethernet layer.

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16. (Currently Amended) ~~[[A]] The~~ system according to claim 15, wherein said second byte comprises a type of service byte.

17. (Currently Amended) ~~[[A]] The~~ system according to claim 15, said second byte comprising a differentiated service byte.